

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

October 10, 2006

In Reply Refer To:
Stingray Pipeline Company, L.L.C.
Docket No. RP06-630-000

Stingray Pipeline Company, L.L.C.
1100 Louisiana, Suite 3300
Houston, Texas 77002

Attention: Cynthia A. Corcoran, Senior Counsel
and Chief Compliance Officer

Reference: Requests for Temporary Waiver

Dear Ladies and Gentlemen:

1. On September 29, 2006, Stingray Pipeline Company, L.L.C. (Stingray) filed a request in Docket No. RP06-630-000 to temporarily waive sections 11.3 and 11.4 of the General Terms and Conditions (GT&C) of its tariff, to permit shipper imbalances incurred during the month of September 2006 to be cashed out without resort to the tiering mechanism set forth in such tariff provisions. Stingray states that waiver of these tariff provisions are necessary to enable the cash-out of shipper imbalances at the Average Monthly Index Price (AMIP).

2. Stingray states that as a result of major maintenance work on its system from September 6 through September 26, 2006, Stingray was unable to operate under normal conditions, creating imbalances which Stingray's shippers did not have the ability to resolve through the normal adjustment to nominations and scheduled flows during the month. Further, Stingray states the likelihood of imbalances with respect to certain shippers was heightened due to their temporary assistance with managing the line pack of its system as a result of the maintenance work, and only the last three days of September were available for shippers to correct such imbalances. In light of the circumstances, Stingray submits its shippers should not be subject to the tiering feature of Stingray's cash-out mechanism. Stingray proposes to cash-out the shipper imbalances at the AMIP, as set forth in sections 11.3(c) and 11.4(c) of the GT&C of its tariff.

3. Therefore, Stingray requests waiver of sections 11.3 and 11.4 of its GT&C for the month of September 2006 to permit shipper imbalances to be cashed out at the AMIP. Stingray also requests the Commission grant this petition for waiver by October 10, 2006, to allow Stingray's shippers time to make informed decisions regarding the use of netting and trading to resolve imbalances created during September 2006, which will be reflected on their invoices to be sent by Stingray on October 12, 2006, in accordance with its tariff.

4. Notice of Stingray's waiver requests in Docket No. RP06-630-000 was issued on October 3, 2006, respectively, allowing for protests and interventions as provided by Rule 211 and 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.211 and 385.214 (2006). Pursuant to Rule 214, 18 C.F.R. § 385.214 (2006), all timely filed motions to intervene and any motions to intervene out-of-time filed before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt this proceeding or place additional burdens on existing parties. No interventions or protests with respect to the waiver request were filed.

5. The Commission finds good cause exists for granting the requested waiver. As a result of maintenance work on Stingray's system, shippers missed the opportunity provided in sections 11.3 and 11.4 of Stingray's tariff to resolve imbalances. Stingray has proposed a reasonable and non-discriminatory, temporary method to resolve the imbalances that benefits the affected shippers. Accordingly, we grant Stingray's request to temporarily waive the tariff provisions discussed above for one month, September 2006, to enable the cash-out of shipper imbalances at the Average Monthly Index Price.

By direction of the Commission.

Magalie R. Salas,
Secretary.